

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

UNITED STATES OF AMERICA, *ex rel.*,)
KRISTI EMERSON, *et al.*,)
Plaintiffs,) Civil Case No.: 1:15-cv-00027
v.) CHIEF JUDGE CRENSHAW
SIGNATURE HEALTHCARE, LLC, *et al.*,)
Defendants.) **UNDER SEAL**

**THE UNITED STATES' NOTICE OF ELECTION TO PARTIALLY INTERVENE
FOR PURPOSES OF SETTLEMENT AND MOTION TO UNSEAL**

Pursuant to the False Claims Act, 31 U.S.C. § 3729, *et seq.*, the United States hereby notifies the Court that the United States elects to partially intervene in this action for purposes of settlement. The United States, Relators, and Defendants have reached a settlement of the majority of this action, which is memorialized in a Settlement Agreement with an effective date of May 29, 2018. Specifically, the United States intervenes with regard to the Medicare Covered Conduct, as defined in the Settlement Agreement, and the United States declines to intervene with regard to any remaining claims. Pursuant to the terms of the Settlement Agreement, Defendants' initial payment is due by June 8, 2018, and once that payment is made, the United States and Relators will file a joint stipulation dismissing, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, this action, except that Relators' retaliation claims under 31 U.S.C. § 3730(h) will not be dismissed.

In addition to notifying the Court of its intervention in this action for purposes of settlement, the United States also requests that this action and all filings in this action, except as follows, be unsealed. The United States requests that the United States' Memoranda in Support

of its Motions for Extension of Time to Consider Intervention, Memorandum in Support of Motion for Order Authorizing *Ex Parte* Interviews, and Memorandum in Support of its Motion to Partially Lift Seal (D.E. Nos. 14, 18, 21, 23, 28, 33, 37, 40) remain under seal because those filings discuss the content and extent of the United States' investigation and were provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended. A proposed Order is being filed contemporaneously with this Notice.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Election to Partially Intervene for Purposes of Settlement and Motion to Unseal was served via E-Mail and/or First Class U.S. Mail, postage prepaid, on the 30th day of May, 2018, to the following:

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s/ Sarah K. Bogni
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